

BY Freel Brown

H.B. 324

A BILL TO BE ENTITLED

AN ACT

1

2 relating to penalties and funds collected for the Auctioneers Act

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 11, Chapter 320, Acts of the 64th Legislature, Regular

5 Session, 1975 (Article 8700, Vernon's Texas Civil Statutes), is amended to read

6 as follows :

7 Section 11: PENALTIES

8 (a) Whoever acts as an auctioneer as defined in this Act without first obtaining a

9 license commits Class B misdemeanor.

10 (b) Whoever violates any other provisions of this Act or any rule or regulation

11 promulgated by the commissioner in the administration of this Act, for the

12 violation of which no other penalty is provided, commits a Class C misdemeanor.

13 (c) The department shall have the authority to set penalties and fines for

14 violations of this Act on a penalty by rule basis.

15 Section 12. DISPOSITION OF REVENUES

16 (a) All money collected by the department, excluding funds for the Education and

17 Recovery Fund, shall be deposited to the credit of the auctioneers account in the

18 general fund and may be used only to administer this chapter.

19 (b) The Executive Director shall allocate no more than 20 per cent of the money

20 in the account in the general revenue fund to cover administrative costs of the

21 department.

22 SECTION 2. (a) Except as provided by Subsection (b), this Act takes
23 effect September 1, 1999.

24 SECTION 3. The importance of this legislation and the crowded condition
25 of the calendars in both houses create an emergency and an imperative public
26 necessity that the constitutional rule requiring bills to be read on three several
27 days in each house be suspended, and this rule is hereby suspended.

JOINT AUTHOR AUTHORIZATION

As primary author of HB 324 I hereby authorize the following joint author(s):
(bill or resolution #)

Oliveira
printed name of joint author #1

signature of joint author #1

Rick Green
printed name of joint author #2

[Signature]
signature of joint author #2

printed name of joint author #3

signature of joint author #3

printed name of joint author #4

signature of joint author #4

[Signature]
signature of primary author

3/25/99
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relating to penalties and funds collected for the Auctioneers Act

NOV 25 1998

Filed with the Chief Clerk

FEB 03 1999

Read first time and referred to Committee on

Licensing & Administrative
Procedures

Reported favorably (as amended)
(as substituted)

Sent to Committee on (Calendars)
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of yeas, nays, present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(yeas, nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(yeas, nays)

Senate and Constitutional 3 Day Rules suspended by a vote of yeas, nays

Read third time, _____, and passed by (a viva voce vote)
(yeas, nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)